

RESOLUTION NUMBER R- 297105

ADOPTED ON SEP 24 2002

WHEREAS, on January 28, 2002, the Council of the City of San Diego [City] approved an Ordinance (O-19030) amending the electric franchise between the City and San Diego Gas & Electric Company [SDG&E] which, among other things and subject to prior approval by the California Public Utilities Commission [CPUC], increased the franchise fees through an increase in the existing utility surcharge; and

WHEREAS, the City designated that most of these additional surcharge revenues would be used to fund undergrounding of utility infrastructure as set forth in a Memorandum of Understanding (MOU) between the City and SDG&E, dated December 19, 2001; and

WHEREAS, as part of this MOU, it was established that SDG&E would continue to coordinate and oversee the construction of these additional underground conversion projects to be funded from these franchise fee surcharge revenues; and

WHEREAS, after appropriate notice to SDG&E, Section 13 of the MOU provides that the City may elect to assume the responsibility for the coordination and management of these underground conversion projects; and

WHEREAS, SDG&E has committed that its underground conversion activities will be done in compliance with all applicable federal, state, and local laws, rules, and regulations; consistent with its requirements as a utility regulated by the CPUC; and consistent with its safety, reliability standards, and contracting practices; and

WHEREAS, it is the City's intent, if it elects to assume management of this underground conversion program from SDG&E, to continue providing the high level of care and skill presently utilized under the management of SDG&E to ensure safe and reliable infrastructure to the residents and businesses of the City; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. In the event that the City proposes to assume responsibility for management of the underground conversion projects as provided in Section 13 of the MOU, the City shall have a publicly noticed hearing within ninety days after the City provides such notification to SDG&E.
2. In the event the City assumes an oversight role for these underground conversion projects, the City will continue to abide by the contract specifications and industry standards used by SDG&E, including utilization of a workforce with qualifications equal to those required by SDG&E.

APPROVED: CASEY GWINN, City Attorney

By

  
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